

JONES'S ATTORNEYS SEEK TO COMPLETE ALIBI FOR ACCUSED

Evidence Calculated to Back Testimony of Tom Morrison, Sr., and Controvert That of W. G. Clark, Introduced; Colorado City Woman Says Jones There May 21; Clark on May 23, After Jones Left.

EVIDENCE calculated to substantiate that previously given by Tom Morrison, Sr., and controvert that of W. G. Clark, introduced by the defense in the Jones murder trial Monday morning, attorneys for the defendant endeavored to complete evidence which they believe will prove an alibi for their client.

Mrs. J. D. Ernest, who conducted the Ernest rooming house at Colorado City, last May, testified that Jones was there May 21 and that on May 22, after Jones had left, Clark was there. Morrison had testified that Jones and Clark were not at the place together, but Clark had testified that he, Jones and Morrison were in the room of the last together, Jones, according to Clark, describing the killing of Thomas Lyons, and Morrison suggesting a \$4000 fund alleged to be had for any man who would "bump off" Bill Johnson of Snyder, Tex. This had been vehemently denied in its entirety by Morrison.

Says Jones Fled Notes.

The first witness, called by the defense Monday morning, was Dan Lydick, of Fort Worth, cashier of the Exchange State bank there. Witness said he knew Jones 18 months or two years.

"Did you see him in Fort Worth, May 21, 1937?"

"Yes, between 9 a. m. and 3 p. m. He said he had two small notes, \$10.00 each, of a series secured by an automobile."

On cross examination, witness was questioned as follows:

"When did you acquire this series of notes?"

"Feb. 3, 1937. There were 10 of them. We got them from an automobile company."

One of the two notes Jones paid was past due and one was not yet due, witness declared.

"How frequently had you seen Jones?"

"Not very often. I don't think personally I had over three or four transactions with him."

Witness said he was summoned as a witness Feb. 8. He didn't recall the kind of money Jones paid the notes with, Mr. Lydick said.

On redirect examination witness showed a memorandum slip of the transaction testified to (payment of the two notes), said slip bearing a stamped date, "May 21, 1937." This slip was then placed in evidence.

Says Jones There May 21.

The next witness was Mrs. J. D. Ernest, who formerly conducted the Ernest rooming house at Colorado City, she said, and she conducted the rooming house in question during all last May, giving it up June 5, 1937. She knew Jones several months prior to that time, she added.

"Was he there during May?"

"Yes, sir, the 21st."

"What time did he arrive?"

"At night."

"Did you see him when he came in?"

"Yes, sir."

"To what room did you assign him?"

"No. 3. I went to the room with him, because he was sick."

"Did you see him next day?"

"Yes, he remained in bed to almost noon and in the afternoon. He checked out that afternoon near 6 or 7 o'clock. Witness recalled that an eastbound train at that time left about 8 o'clock, she said.

"Do you know W. G. Clark?"

"He stopped at our place twice."

"When was he there first?"

"Says Clark There May 23."

"From the time you left Colorado City, June 5 or 6 until you came here in September, did you see Tom Morrison?"

"No, sir."

"On cross examination, witness said she left the register at the rooming house, which she had sold, when she left."

"Do you know T. A. Morrison?"

"Twenty-five years or more."

"From the time you left Colorado City, June 5 or 6 until you came here in September, did you see Tom Morrison?"

"No, sir."

"You recall telling that there was a jump in the register for about five days then?"

"Yes, sir."

"You recall telling me that there was a disturbance, loud talking in a room and you thought of putting some guests out?"

"Yes, sir."

"You recall telling me that Clark came once and you were introduced to him by Morrison, and Clark asked to be taken to Jones's room?"

"I don't remember."

"Do you remember telling me that when you proposed to go up to listen to the men your daughter told you that if she were you, she wouldn't do that?"

"Yes."

"How many times was Jones at

WOMAN WANTS TO TELL TRUTH

Colorado City Rooming House Proprietor Says Geo. McMeans Nervous.

your place between Jan. 1 and the end of May?"

"I couldn't say."

Says Doesn't Know Rhodes.

"Did you ever know a man named T. R. Rhodes?"

"Don't know him."

"The night you went up to save George, you remember telling me they were not drunk, but quarreling over some loot?"

"No, sir. They were talking loud."

"Your register shows Jones was there the 20th, doesn't it?" (She was shown register.)

"That might be a mistake. I remember it was Monday night the 21st that he came."

"Is that 5-20 date your handwriting?"

"It might be my own."

"On the next page, there is a 5-21 with a three written over the one or a one over the three, did you do that?"

"I don't know anything about that."

"Says McMeans Nervous."

"What room did Morrison always have?"

"No. 10, the room connecting with No. 9."

"Do you remember Jones registering Jan. 7?"

"I don't know."

"Is that his signature on that date?"

"Someone has changed it if it is. It's now Albert Jones, and 'P. R.' appears erased."

"Do you know Bruce E. Oliver, of Abilene?"

"No, sir."

"You know how a Longbottom name was erased and 'P. R.' Jones's name was written in the place?"

"It was done since I left."

"Do you remember telling me Mr. Morrison seemed very much interested over the Lyons killing and was getting all the papers he could about it?"

"I don't remember."

"Have you talked with him on several occasions since you are here?"

"Here in the court."

On redirect examination, Mrs. Ernest was asked:

"What did you say to counsel here in September about being certain of the dates?"

"I wanted to think the matter over and be certain."

"Who did you have in mind as being there when you had thought it was Jones?"

"I know who it was, George McMeans, of Odessa. He came after the 23d, on the 24th or 25th."

"Did he say anything to you when he came in?"

"He was very nervous and said he wanted a back room. I gave him No. 26."

"What anyone come to your room and ask for him?"

"Mr. Clark."

"Did he register that time?"

"No, sir. I showed him Mr. McMeans' room and he went to it. About an hour later, two strangers came and went to McMeans' room."

"Was either of them Felix Jones?"

"No, sir."

"Was Tom Morrison there that

CLARK GOES TO PADUCAH TO SET BACK HERE

Cattleman Says Not a Threat Heard Among Men "To See Clark Off."

Tom Morrison, Sr., known among cattleman as "Uncle Tom," was arrested late Sunday afternoon at a room in Hotel Zeigler by deputy sheriff Ivy Finley on a warrant based on complaint filed with Justice J. M. Deaver and alleging that accused did on February 15, "combine, conspire and confederate with one Lambeth to kill and murder W. G. Clark," the state's star witness in the Felix H. Jones murder trial.

"Uncle Tom," who created a sensation in the 24th district court Saturday by the loud and vehement manner in which he replied negatively to questions relating to an alleged \$4000 fund which, according to previous testimony, he had agreed to pay to the man who would "bump off" Bill Johnson of Snyder, started court proceedings to get out of jail.

At the court of inquiry summoned Saturday by county attorney W. H. Fryer, Morrison told justice Deaver he was in the party that went to Yuleta Friday evening (the 15th) to see Clark off, the latter being then in custody of Cottle county officials on a murder warrant based on an alleged killing 14 years ago, but that there was not even a crowd of about six men, as he had not known anything about any conspiracy to murder, he has requested since.

Second Conspiracy Charge.

This is the second conspiracy to murder charge filed against the Jones trial started and W. G. Clark is named as the alleged object of each conspiracy. Sheriff Theodore Combest and county attorney John M. Martin, Cottle county, were named as the alleged conspirators in the first, but were released on their own recognizance.

Hearing About Feb. 22.

Jones Monday morning preliminary hearing would not be held on the Morrison complaint until about Feb. 27.

There was no warrant issued for the "one Lambeth," mentioned in the complaints at previous proceedings. It was testified a man by that name was in the party that went to Yuleta to see Clark pass through in custody of Cottle county.

"I don't know."

"Was that the room where the loud talking was, and was that the time?"

"Yes."

"When you gave up the rooming house, any certain the name Longbottom was not crossed out?"

"It was not."

"Has anyone connected with this defense asked you to change your testimony?"

"No, sir. I have studied it over because I wanted to tell the absolute truth, not to take McMeans for Jones."

On cross examination, witness said that she didn't remember if Morrison was there the night Clark was in McMeans' room.

"Do you remember Morrison told you that Clark wanted to go either to the house of or McMeans' room?"

"No, sir."

"When you were shown the easure in the register, didn't you say that your light might have caused Jones to sign over Longbottom's name without noticing it?"

"That could have been, but I didn't notice it."

"Did you say McMeans said he wanted a back room because there was a reward offered for his head?"

"Yes, sir."

Says Jones There May 21.

Miss Lydick, the 21-year-old daughter of the last witness, then took the witness stand. She told the jury she knows Jones about a year and that she saw him at the Ernest rooming house May 21, 1937.

"How do you fix the date?"

"My sister came home the morning of the 21st, and Mr. Jones came that night."

"Do you know W. G. Clark?"

"Yes, I saw him there on the 23d and also about the 25th or 26th. I don't think he registered the second time."

"Did you have any conversation with him the second time?"

"He asked me for a pen and ink."

On cross examination, witness said she returned home from school at Sherman, Texas, May 18. Witness couldn't recall exact time of afternoon, May 21, that she saw Jones, but thought it was about sundown.

"What fixes the date (May 21) in your mind that you saw Clark?"

"I couldn't tell you. I saw him, and that's all."

"Your mother probably had an introduction to Clark by Morrison?"

"I don't know."

Says Register Shows Jones May 20.

Witness was then shown the rooming house register and said it showed Jones was there May 20. Her recollection, however, is that Jones was there May 21, she said.

Clark registered on May 22, but did not register the second time, she said.

"Do you know 'Uncle Tom' Morrison?"

"Yes."

"What was his room?"

"I don't remember." Likewise, witness said she didn't know Jones's room. Miss Ernest admitted that she, her mother and her sister had gone over the matter of dates of registry of Jones, Clark and others.

Orin C. Wilson, of El Paso, was the next witness put on the stand by the defense. He said he moved here about a year ago from Silver City, where he had lived about 30 years.

"Do you know W. G. Clark?"

"I met him—last spring, I think it was."

"When with reference to Jones's arrest?"

"A short time after in the Auto case, El Paso. Jim Blair, Holland and others were there. Blair introduced me to Clark."

"State if at that time Clark said in your presence that if the defendant was acquitted, he was going to kill him before he got out of the courtroom?"

"He did."

On cross examination, witness said he didn't think Clark might have said he "would have to kill" and not that he "would kill."

"What Holland did you refer to?"

The Popular

Decorate Your Home For The Balmy Days

OUR new Spring cretonnes, marquisettes and nets are an invitation for you to shed your Winter draperies and decorate for the balmy weather. Our cretonnes are creations of dainty, soft colorings for the bed chamber and, then we have the large highly colored ones for the sun parlor, sleeping porch, den or library. Old English chintz, sorrento reps, radium cloth, and linen taffetas. They include some of the choicest patterns, and remember, they are designed in our own work room, and the schemes are so numerous that we have an individual treatment for each customer's own distinctive preferences. Visit our newly arranged 6th floor and let us show you this new assortment of drapery materials. Come tomorrow. —(Sixth Floor)

Marquisette, a yard, 25c to 75c
Nets, at a yard, 25c to \$5.50
Cretonnes, a yard, at 25c to \$6.00

New Spring Styles In Women's Apparel

ADAMS

Pure Chewing Gum

a Stick a day keeps Heartburn away

BLACK JACK

Hot Springs, Ark., and Return - \$39.90

Sunshine Special

On Sale Daily—Limit 6 Months. Consult us.

Phone 7.

Stork and Cupid Cunning Plotters

Many a New Home will Have a Little Sunbeam to Brighten It.

Thousands of women have used Mother's Friend and know from experience that it is one of the greatest contributions to health, happy motherhood.

Write to the Bradfield Regulator Co., R. 188, Lamar, Ark., for a free trial of Mother's Friend. There is a derived from reading this little book. It is a plain, simple, and easy to understand, and it is a book that every woman wants to know. Get a bottle of Mother's Friend from the drug store today, and then don't forget to read this little book.

Use Herald Want Ads.

El Paso Home of The Victrola

TRI-STATE TALKING MACHINE CO.

The Only Exclusive Retail Talking Machine House In El Paso

Our organization is made up of well informed and courteous sales people who will offer you every assistance in helping you to select your Victrola and Records from our large and complete stock.

Convenient Terms.

Phone or write for Catalogs and Terms.

TRI-STATE TALKING MACHINE CO.
Cor. Texas and Stanton Streets.

Your home would be happier with a Victrola in the house—any home would be.

Thousands Have Found Relief From Rheumatism by using Eimer & Amend's A-851. It is a reliable and well-known remedy. At drug stores, or by mail 75c. Eimer & Amend, Third Ave., 18th to 19th St., N.Y. Sold by Kelly & Pollard or your local dealer.